

REMARKS

I. Restriction/Election

Without acquiescing to the propriety of the Restriction Requirement set forth in the Office Action, dated June 22, 2007, Applicants hereby elect, with traverse, the invention of Group I claims 1-8 and 38, drawn to a method of treating a host infected with RSV comprising administering a compound of Formula I.

In accordance with the request for a species election, Applicants elect the compound of Formula I, wherein

R₁ is -NHC(O)Y, where Y is C₂₂ alkyl;

R₂ is -OX, where X is C₂₂ alkyl; and

R₃ is phosphocholine.

The species read on claims 1-8 and 38.

Applicants respectfully submit that upon allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species, which depend from or otherwise require all the limitations of an allowable generic claims as provided by 37 C.F.R. § 1.141.

II. Conclusion

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any necessary fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17, which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a Constructive Petition for Extension of Time in accordance with 37 C.F.R. § 1.136(a)(3).

The Examiner is invited to telephone the undersigned should he find that an interview might advance the examination of this application.

Respectfully submitted,

Date: November 1, 2007

MORGAN, LEWIS & BOCKIUS LLP

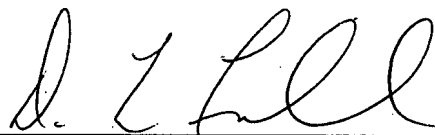
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A handwritten signature in black ink, appearing to read 'D L Fanelli', written over a horizontal line.

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